

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN DOE,

Plaintiff,

V.

VIRGINIA POLYTECHNIC INST. &
STATE UNIV., et al.,

Defendants.

[illegible]

Case No. 7:21-cv-378

By: Michael F. Urbanski
Chief United States District Judge

ORDER

For the reasons stated during the January 16, 2024, hearing in this matter, the court **DENIES** defendants' motion for reconsideration, ECF No. 95, and **GRANTS in part** defendants' motion to dismiss Doe's complaint for failure to state a claim, ECF No. 93, as follows:

- Doe's claim for violation of his due process rights against defendant Tamara Cherry-Clarke in her individual capacity is **DISMISSED with prejudice** under the doctrine of qualified immunity.

The court will address the remaining issues raised in defendants' motion to dismiss in a forthcoming memorandum opinion and order.

It is **SO ORDERED**.

Entered: January 17, 2024

WZM

Michael F. Urbanski
Chief United States District Judge